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REMARKS**Interview**

The courtesy of the Examiner in granting a personal interview to the applicant and his attorney is gratefully acknowledged. Prior to the interview, proposed changes to independent claims 34 and 68 for purposes of discussion were faxed to the Examiner with an indication that the applicant and his attorney wished to discuss the proposed changes, including the "non-identical" feature and the last section of each of the two claims, in which the transaction services provided by the transaction objects of the middleware software depend on the capabilities of the transaction device for which the transaction services are provided.

During the interview, the applicant described the background of the invention, the gist of which is that an owner, for example, a bank, of a network of, for example, ATM's has a problem that one or more of the ATM's is likely to include equipment that is different from the corresponding equipment of other ATM's in the network. This situation presents a problem for the application software in the ATM's, which can not handle the differences, or perhaps can handle the differences only with difficulty. Then, if part of the equipment in an ATM, for example, a card reader, is changed for a card reader of a different model or a card reader from a different manufacturer, the application software can not work with the new card reader, and the problem is made worse.

The applicant further explained that the present invention involves software that cooperates with the application software and has the capability of working with various types of equipment, and with various models of each type of equipment, for example, a card reader, including models of different manufacturers. The applicant explained these things with the help of a color diagram entitled "Inside the ATM", which was only for explanatory purposes

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and in no way for limiting the scope of the present invention.

The applicant's attorney pointed out that the "non-identical" of the claims was intended to claim the feature of the middleware software's ability to work with various devices of a given device type, for example, card readers, having different characteristics from one another. The applicant's attorney added that such a feature is not disclosed by the Hillson reference. It was further explained that the last section of each of independent claims 34 and 68 relates to the ability of the middleware software to work with various devices of a given device type, for example, card readers, having different characteristics from one another. In this regard, it was pointed out that the last section of each of independent claims 34 and 68 recites that the transaction services provided by the transaction objects of the middleware software of the present invention depend on the capabilities of the device, for example, a card reader, with different transaction services being provided for different transaction device capabilities. It was added that this recitation of the last section is not disclosed by the Hillson reference.

The Examiner asked the applicant's attorney to point out support in the application for the "non-identical" feature. The applicant's attorney stated that support is in the specification, but rather than taking time at the interview to look for the support, the support would be pointed out in the next response.

The applicant's attorney asked, in view of the discussions that had taken place to that point in the interview, whether she found that claims 34 and 68, either with or without the proposed changes, were patentable over the prior art. The Examiner indicated that she needed to take some time in comparing the claims with the prior art and that she might need to do additional searching before she could determine whether or not the claims are patentable. In

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response to the question of the applicant's attorney, she stated that changes of the extent of those in the proposed claims required further consideration and/or search and that they would not be entered or considered in the present application, but that an RCE or continuing application would need to be filed in order to gain entry and consideration.

#### Present Amendment

In the present Amendment, the term "non-identical" has not been used in the claims. Instead, for example, independent claim 34 has been amended to recite that its method is a "method for providing transaction services in an ATM or Kiosk having at least one transaction device of at least one transaction device type, the at least one transaction device having capabilities". Claim 34 has been amended also to recite that the programming interface of middleware software comprises "transaction objects providing transaction services", and that "the particular transaction services provided by the transaction objects depend on the capabilities of the transaction device type, with different transaction services being provided for different transaction device capabilities". It can be appreciated from these amendments that the method according to the present invention provides first transaction services for an ATM or Kiosk having a transaction device having first capabilities, but would provide different transaction services for an ATM or Kiosk having a transaction device of the same type having capabilities different from the first capabilities. Thus, the method according to the present invention can be used with a plurality of ATM's or Kiosks having transaction devices that are not the same as the corresponding transaction devices in the other ATM's or Kiosks with which the method is used.

The transaction objects are described at, for example, page 5, lines 5-10 of the application: "Preferably, the middleware software comprises a series of transaction objects and controls for standard device functions". The middleware comprises a series of

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components and objects that extend the functionality of the operating system functions (page 13, line 34 – page 14, line 2). Wizards are a series of transaction objects that implement common ATM/kiosk transactions such as dispensing cash, printing a statement, etc. (page 15, lines 21-24). The devices that perform the transactions are transaction devices. A list of examples of such devices appears on pages 17 and 18 of the application. The feature of claim 34 of “the particular transaction services provided by the transaction objects depend on the capabilities of the transaction device type, with different transaction services being provided for different transaction device capabilities” can be appreciated from, for example, page 16, lines 6-10: “For example, an ATM might have a single button which dispenses \$10 on demand. A second ATM might implement more complex controls and display a detailed animation whilst money is issued. However, the same wizard may be used to implement both these ATMs.” In addition, page 16, line 27 – page 17, line 3 states: “An additional important feature of the wizards is that they are able to interpret the capabilities of the hardware on which they are run. For example, they may be able to establish whether a cash dispensing means is available. One application may then run on a plurality of different hardware implementations, adapting its functionality to the capabilities of that hardware. This not only allows different hardware implementations to be incorporated into the same network but allows distinct networks to be joined into an Extranet.”

**Hillson et al. (US Patent No. 6,118,860)**

There is no suggestion in Hillson et al. of the feature of independent claim 34, as amended, of providing transaction services wherein “the particular transaction services provided by the transaction objects depend on the capabilities of the transaction device type, with different transaction services being provided for different transaction device capabilities”. Instead, Hillson

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et al. describes an apparatus and method for rendering public communication services using a multimedia terminal. Hillson et al. describes an invention in which standard pay telephone services are combined with other multimedia services. Several objects of the invention are described, such as: providing a scrolling mechanism separate from the touch-screen which requires little dexterity; improving the user interface relating to information on the particular peripheral device that a user is required to actuate; providing an emulation of a vacuum fluorescent display found on a conventional display phone; and improving the way in which payments are made for services rendered by a public multimedia apparatus. This last object provides one of the main features of claim 1 of Hillson et al., which recites a user timer that provides more accurate metering of the telephone use and therefore more accurate billing.

Although Hillson et al. discloses a kiosk having a number of peripheral devices, such as a printer and a credit card reader, for example, it contains absolutely no mention of any issues concerning the replacement of, for example, one type of card reader for another. Therefore, Hillson et al. does not make a distinction between the devices and the device type (in the language of claim 34 of the present application) and does not consider the possibility of different transaction devices having different capabilities within the transaction device type.

Pages 2-8 of the final Office Action recite numerous features from a number of the claims and, for each feature, refer to same specific paragraphs of Hillson et al., namely col. 2, line 25 to col. 4, line 2; col. 4, line 25 to col. 5, line 53; col. 7, line 25 to col. 9, line 15; and col. 10, lines 40 to 50. It is noted that the Examiner has not provided specific page and line references in relation to each of the features but has simply provided reference to these large passages in the Hillson et al. reference as evidence that the claimed invention is anticipated by Hillson et al.

In view of the foregoing, it is submitted that independent claim 34 and the claims that

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depend on it are allowable. Independent apparatus claim 68 contains features similar to those described above that render claim 34 allowable. More specifically, claim 68 recites that the programming interface of middleware software comprises transaction objects providing transaction services, wherein the particular transaction services provided by the transaction objects depend on the capabilities of the transaction device type, with different transaction services being provided for different transaction device capabilities. As was stated above, Hillson et al. does not suggest objects providing transaction services, wherein the particular transaction services provided by the transaction objects depend on the capabilities of the transaction device type, with different transaction services being provided for different transaction device capabilities.

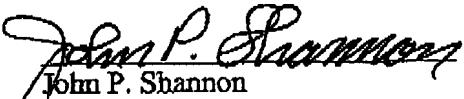
New claim 112 relates the method for providing transaction services according to Claim 34 to a network comprising a plurality of ATMs or Kiosks, and new claim 113 is drawn to a network comprising a plurality of the ATMs or Kiosks according to Claim 68.

In view of the foregoing, it is submitted that all of the claims are allowable and that the application is in condition for allowance. An early notice to that effect is respectfully requested.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0562.

Respectfully submitted,

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